



MEMORANDUM

To: Rachel Schmeltz
ENERGY STAR Program Manager
US Environmental Protection Agency

From: Larry M. Eils, Senior Director, Technical Services

Date: December 3, 2003

Re: ENERGY STAR Program Requirements for Refrigerated Beverage Vending machines – Eligibility Criteria Draft 2

On behalf of the NAMA members that manufacture beverage vending machines NAMA is responding to your Draft 2 Eligibility Criteria. We want to thank you for addressing all of our concerns set forth in our August 20, 2003 memorandum to you relating to Draft 1 Eligibility Criteria.

I am please to inform you that we are now in agreement with Items 1, 3, and 4 with slight revision, as set forth in your Draft 2. In Item 4 our only concern here is with one word in A. 2. We are requesting that the word “may” be changed to “must.” If companies choose the indoor test they need to test at a specific temperature, may would allow them to select another temperature.

However, we still have concerns with Items 2 and 5. Let me further explain.

2) Qualifying Products:

We have three concerns here. First, we were pleased to receive a draft of a Refurbished Machine Program for our review. Unfortunately, our members are not in agreement with your proposal based on some lengthy responses by several refurbishing centers. Since this issue of refurbishing is still a major issue to our members and they strongly believe that this issue has to be resolved before this Eligibility Criteria can be accepted we are requesting postponement of implementation. See Item 5) for further explanation on the postponement. In the meantime we plan on meeting to develop an alternative to your refurbishing proposal.

The second concern has to do with listing products that may qualify. There was some concern this could be interpreted that only these products could be considered and any future, new designs would not be eligible for ENERGY STAR. If a machine meets the definition, irregardless of how it looks, it would be eligible for ENERGY STAR. Therefore, we suggest the sentence "The following products may quality under this specification: closed-front, glass-front and live display machine models." Be deleted.

Our third concern has to do with your two bold sentences. We would like to propose they be replaced by the following sentences:

"Version 1.0 specification applies to new machine models and machines in the field as long as the field machines are identical to the models that are ENERGY STAR qualified as new machines. The ENERGY STAR label may be affixed to those qualified field machines once the qualifying product information is received by the EPA."

5) Effective Date:

We have two concerns with the Tier I proposed implementation date of January 1, 2004. First, our members feel this Eligibility Criteria should wait until the ASHRAE Standard 32.1-1997R has been officially adopted. This should occur early in 2004.

Secondly, since our members strongly feel the refurbishing issue must be part of this Eligibility Criteria we are asking the implementation be set for April 1, 2004 at the NAMA Spring Expo. This will allow us to have further meaningful dialogue with your agency on this matter. It is also our belief this matter can be resolved prior to the NAMA Spring Expo.

Once again we want to thank your and your agency for taking our previous comments and suggestions regarding Draft 1 Eligibility Criteria under serious consideration resulting in a more usable Criterion for the vending industry. We look forward to working with you on resolving the few remaining issues as we move toward the implementing an ENERGY STAR beverage vending machines. We look forward to hearing from you regarding our remaining items of discussion.